

CITY OF HOUSTON
REQUEST FOR PROPOSAL (RFP)
NOTICE OF FUNDING AVAILABILITY (NOFA)
HARVEY PUBLIC SERVICES
SOLICITATION NO: T29076

Date Issued: June 10, 2019

Pre-Proposal Conference: June 17th, 2019 @ 10:00 A.M.
Housing and Community Development
Department
2100 Travis St., 9th Floor
Houston, TX 77002

**Pre-Proposal Questions
Deadline:** June 27th, 2019 @ 5:00 P.M.

Solicitation Due Date: July 25th, 2019 @ 2:00 P.M., CST

Solicitation Contact Person: Tywana Rhone
tywana.rhone@houstontx.gov
832-394-6204

Project Summary: The City of Houston's Housing and Community Development Department's (HCDD) goal is to provide funding for public services programs that will aid extremely low-to-moderate income residents with social service needs, including, but not limited to, homeless services, job training, mental health services, legal services, housing counseling and case management services. The Harvey Public Services Program is intended to assist eligible persons in the City of Houston who were directly or indirectly impacted by Hurricane Harvey. HCDD is seeking nonprofit organizations ('Applicants'), with a 501(c)(3) nonprofit status, to provide public services programs to Houston residents. The term of the resulting Agreement(s) will be for one (1) year, with the option for a one (1) year extension at the discretion of HCDD'. All projects must meet CDBG-DR eligibility requirements.

NIGP Code: 918-38

MWBE Goal: 0%

DocuSigned by:

Jerry Adams

6/10/2019

Jerry Adams, Chief Procurement Officer

Date

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PART I – GENERAL INFORMATION

General Information

On August 25, 2017, Hurricane Harvey made landfall on the Texas coast as a Category 4 hurricane, and as it moved inland, it slowed and stalled over the Houston area. The area received unprecedented levels of rainfall over the next two days, as the system remained stalled, dropping over 50 inches of rain in the area, according to the National Weather Service, making it a 1-in-1,000-year flood event. Widespread flooding came in stages, first from rainfall and then via releases from dams and reservoirs which the heavy rains threatened to overwhelm. Fifty-nine percent of the damage from Harvey occurred outside the 500-year Federal Emergency Management Agency (FEMA) floodplain, signifying the enormity of the event.

Flooding devastated areas with high levels of social vulnerability where low-income residents have the fewest resources to recover. Twelve neighborhoods identified in the [Local Needs Assessment](#) have at least one census tract with very high social vulnerability (above 0.8 on the University of South Carolina's Social Vulnerability Index) and damage above 50 percent of the estimated annual income of residents in the buildings that were damaged: Braeburn, East Houston, Golfcrest, Greater Fifth Ward, Greenspoint, Gulfton, Hunterwood, Inwood, Lawndale, Midwest, Northshire, and Northside. The lingering effects of this damage has impacted residents' physical and mental health and has made it difficult to find stability.

The Harvey Public Services Program is intended to assist eligible persons residing in the City of Houston who were directly or indirectly impacted by Hurricane Harvey. The City of Houston's Housing and Community Development Department (HCDD) is seeking non-profit organizations ('Applicants') to provide public services programs to Houston residents including, but not limited to: transportation, healthcare, medical education, housing and/or rehousing, mental health, case management, legal, housing counseling, employment, substance abuse, housing counseling, job training and education, workforce development and childcare services.

Public services funded will complement housing programs to provide a comprehensive approach to recovery for Houstonians. These services will support residents to find housing, remedy housing issues, or to become more resilient in future disasters, whether natural, economic, or personal, creating a stronger, more prepared community. Public service activities also include homelessness initiatives to assist homeless populations affected by the storm.

Please note that Applicant, Agency and Organization are used interchangeable within this document and have the same meaning.

Solicitation Schedule

Listed below are the important dates for this Notice of Funding Availability (NOFA)

<u>EVENT</u>	<u>DATE</u>
Date of NOFA Issued	June 10, 2019
Pre-Proposal Conference	June 17, 2019
Questions from Proposers Due to City	June 27, 2019
Proposals Due from Proposers	July 25, 2019
Notification of Intent to Award (<i>Estimated</i>)	September 2019
Council Agenda Date (<i>Estimated</i>)	October 2019
Contract Start Date (<i>Estimated</i>)	October 2019

PART II – SCOPE OF WORK

PURPOSE (Statement)

The City seeks proposals from qualified applicants to provide public service programs to Houston residents, including, but not limited to: transportation, healthcare, medical education, housing and/or rehousing, mental health, case management, legal, housing counseling, employment, substance abuse counseling, housing counseling, job training and education, workforce development and childcare services.

The term of the resulting Agreement(s) will be for a one (1) year period (12-months) with the option of an additional one (1) year extension at the discretion of HCDD.

In support of the U.S. Department of Housing and Urban Development's (HUD) recovery objectives, the City of Houston has specifically designed its storm recovery programs to help impacted residents and communities recover from damage inflicted by Hurricane Harvey. As expressed in the Federal Housing and Community Development Act, the primary objective of the Community Development Block Grant (CDBG) program is "the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-and moderate-income (LMI)." Community Development Block Grant – Disaster Recovery funding appropriated in response to disasters must meet the general goals of the CDBG program.

All CDBG-DR funded activities must meet at least one of the three National Objectives defined in the authorizing statute of the CDBG program:

- Benefiting Low- and Moderate-Income Persons (LMI) (80% of Area Median Income)
- Preventing or Eliminating Slum or Blight (SB)
- Meeting an Urgent Need (UN) by alleviating emergency conditions (such as providing assistance to households making in excess of 80 percent of the Area Median Income (AMI))

All activities funded through the City of Houston Harvey Public Services Program are required to benefit a majority of low-and moderate-income persons earning less than 80% Area median Income (AMI). Projects that fail to meet the applicable test will NOT be considered for funding.

The amount of funding available for the Harvey Public Services Program for FY 2019 is approximately \$15 million in CDBG-DR funds. HCDD will determine the best use of funding available.

SCOPE OF WORK

Activities eligible for CDBG-DR public service funds as listed in 24 CFR 570.201(n), 24 CFR 570.204 and HCDA 105(a)(8) include, but not limited to:

- Transportation services
- Healthcare services
- Medical education services
- Housing and/or rehousing services
- Mental health services
- Case management services
- Legal services
- Homeless services
- Housing counseling services
- Employment services
- Substance abuse services (counseling and treatment)
- Counseling
- Job training and education services
- Workforce development
- Child care services

ELIGIBILITY AND CRITERIA

All applicants must:

- Be organized under Texas State law
- Have no part of net earnings inuring to the benefit of any member, founder, contributor or individual
- Have a functioning accounting system that is operated in accordance with generally accepted accounting principles, or have designated an entity that will maintain such an accounting system
- Have a program that meets one of the CDBG national objectives and must qualify under public services eligible activity
- Have a direct or indirect tie back to Hurricane Harvey
- Be eligible to participate in HUD and city-funded programs
- Respond to the needs of the City of Houston as outlined in the Hurricane Harvey Action Plan and Needs Assessment (<https://recovery.houstontx.gov/hud-requirements-reports/>)

- Applicants that are non-profit organizations must provide evidence of current 501(c)(3) tax exempt status from the Internal Revenue Service and evidence of good standing with the Texas Secretary of State.
- Applicants must be current with all financial obligations with the City of Houston. The City of Houston will not fund a program or agency with outstanding disallowed costs, defaulted loans, debarment actions or any other legal encumbrances, regardless of the merits of the submitted proposal.
- Certify that they operate a drug-free environment
- Certify that they comply with the Americans with Disabilities Act of 1990 (ADA), as amended (P.L. 110-325)
- **Board of Directors must certify a three (3) month cash flow reserve, specifically for the program being applied as this is a reimbursement program**
- Certify that they have a Non-discrimination Policy and provide copies of that policy
- Applications may not request less than the budget floor.
- Maintain compliance with all terms of their most recent Public Services contract requirements and not have a serious unresolved HUD or City monitoring finding or audit findings of a material nature regarding any of the Applicant's Public Services funded projects or other federal funded projects.

Applicants that do not meet these requirements will not be reviewed further.

Accessibility to Persons with Disabilities:

Programs, information, participation, communications and services must be accessible to persons with disabilities and comply with the Americans with Disabilities Act (ADA).

Clarity of NOFA Contents:

The content and clarity of your application are critical. Applicants should take extra care in developing a clear, concise program design and measurable, results-oriented goals.

Nondiscrimination and Equal Opportunity:

All activities funded by Public Services resources must be made available to all eligible persons without respect to their race, color, religion, sex, national origin, age, familial status, or handicap (§574.603).

Environmental Clearance:

Projects funded with Public Services are subject to environmental review requirements under federal regulation (24 CFR Part 50), and no funds can be committed and expended until the activity has received an environmental clearance. No exceptions can be made.

Match Requirement and Leveraged Funding:

A match requirement is not required for the categories of funding available under this NOFA, however, applicants are encouraged to provide in-kind or financial contributions that can be used for leveraging and will receive priority consideration for such contributions. Leveraging is based solely on the program for which funds are being requested and must have documentation presented.

Detailed Specifications for Public Service

Funding Available

There is a budget floor of \$100,000 per application request. Any application that requests less than the floor will not be considered. A set-aside of \$4 million is for homeless services projects.

Timely Expenditure of Funds:

HUD regulations require timely expenditure of Public Services funds. Applicants for Public Services and operating funds must be able to begin expenditure of funds within thirty days of application approval. New projects and programs should be able to demonstrate that funding needed for ongoing operation of the project/program will be available.

Faith-Based Organizations:

Faith-based organizations are an important part of the social service network. HUD issued a final rule amendment allowing faith-based organizations to compete for CDBG funding on the same basis as other nonprofits. However, faith-based organizations cannot use CDBG funds to support worship, religious instruction or proselytization. Religious activities must be offered separately from the CDBG supported activity. Faith-based organizations that participate in the CDBG program will retain independence from federal, state, and local governments and may carry out its mission provided CDBG funds are not used to support religious activities. Faith-based organizations that participate in the CDBG program shall not discriminate against a program beneficiary on the basis of religion or religious belief. The above holds true for CDBG-DR funds.

Premature Committing or Expending Funds:

Program expenses that have been committed or spent prior to City Council approval, environmental clearance and execution of the contract or Letter of Agreement are not eligible for reimbursement.

PART III – EVALUATION AND SELECTION PROCESS

Evaluation Committee

An evaluation committee shall evaluate Proposers' submissions in accordance with the evaluation criteria listed in Item D below. Upon completion of the evaluation, the committee may develop a short list of Proposer(s) who meet the technical competence requirements. The shortlisted Proposer(s) may be scheduled for a structured oral presentation, demonstration, interview and negotiations. Following these City-to-Proposer(s)' meetings, the evaluation committee will summarize their findings and recalculate their scores, if needed. The evaluation committee reserves the right to issue letter(s) of clarification when deemed necessary to any or all Proposer(s). The oral presentations, demonstrations and/or interviews may be recorded and/or videotaped.

Interviews/Oral Presentations/Demonstrations

The City reserves the right to request that Proposer(s) provide a final presentation handout of their Proposal at the scheduled meeting. No Proposer may attend presentations of any other Proposer. If necessary, Proposers may be scheduled for more than one presentation, demonstration, or interview.

Selection Process

The City intends to select proposals that best meets the needs of the City and that provides the best overall value. The City reserves the right to check references on any projects performed by the Proposer, whether provided by the Proposer or known by the City. Upon review of all information provided by Proposers, the evaluation committee will make a recommendation for selection to City officials. Upon approval of the selected Proposer(s), a contract shall be executed by the appropriate City officials.

Evaluation Criteria

Please note under Pass/Fail criteria, a Fail response means the application is no longer response to the NOFA and will not be considered.

1.0 Benefit to Low and Moderate-Income Persons: (Pass/Fail)

Pass is awarded to applications with project activities that benefit at least 51 percent low- and moderate-income persons. Low- and moderate income is verified via census tract or income verification forms depending on Low/Moderate Area or Low/Moderate Clientele status.

Fail is awarded to applications with project activities that do not benefit 51 percent low- and moderate-income persons.

2.0 Activity and Implementation: (Pass/Fail)

Management: Pass/Fail

Pass is awarded to applications based on documentation and information provided, showing that the resources needed to manage the proposed activity are available and ready, and that the commitment for operation and maintenance, where applicable, has been certified. If an agency is debarred from receiving contracts from the City of Houston, no funds will be awarded.

Implementation: Pass/Fail

Pass is awarded to applications based on documentation and information provided, showing that the resources, such as funding, site control, etc., needed to implement the proposed activity are

available and ready. Pass provided to activities that can be implemented in the 45 days of the start of the contract.

3.0 Activity Need and Justification: (15 Points)

Need: Maximum of 5 points. The activity will be evaluated in terms of the documentation of the need for the activity. Activities with excellent documentation and justification will be awarded the maximum of: 5 points = good; 5 points = average; 0 points = poor.

Needs Assessment Consistency: Maximum of 10 additional points. Activities addressing unmet needs, as identified in the City of Houston Local Housing Needs Assessment will be awarded 5 points. Priority for unmet needs include: job training, homeless services, mental health, housing counseling and services for the elderly and disabled. Priority needs for homeless services include: shelter services and case management services directly tied to a housing program within the Way Home system.

<https://recovery.houstontx.gov/wp-content/uploads/2019/01/City-of-Houston-Local-Housing-Needs-Assessment-11.28.2018.pdf>

4.0 Cost Reasonableness and Effectiveness: (10 Points)

The activity will be evaluated for 1) its impact on the identified need; and 2) its implementation costs and funding request relative to its financial and human resources. Evaluation will include the cost incurred per person per unit and the justification for funding requested in the NOFA. Administration Costs or Indirect Costs are capped at 12% of the funding request.

5.0 Data-Driven Evaluation: (25 Points)

Points will be awarded to applications providing documented data that demonstrates the need for the program and the likelihood of success for the proposed intervention or services. Application should provide evidence that the proposed approach is likely to be effective and/or provide a significant opportunity to advance the field. Application should provide commitment to defining clear goals and tracking results, learning and adapting, and sharing results and learnings with others.

Points will be awarded to applicants based on documentation provided that demonstrates that this program is the most effective program to achieve the impact described and demonstrates that funding the program is the best leverage for the City and taxpayers.

Provide a logic model for program wishing to be funded using the model provided, or a comparable one.

6.0 Experience and Past Performance: (10 Points)

Points will be awarded based on the experience of the applicant, including previous work with City funds, length of time in business and experience undertaking projects of similar complexity.

In addition, the applicant will be awarded points based on past performance with local, state, or Federal funding program. Past performance refers to attainment of objectives in a timely manner and expenditure of funds at a reasonable rate in compliance with contract. Compliance with the contract includes, but not be limited to, timely submission of reports, reimbursement requests and adherence to the scope of services.

For those applicants that have not received funding in the past from the Housing and Community Development Department, up to the maximum of five (5) points will be awarded, dependent upon thorough documentation of similar past performances documented in the Request for Proposals (NOFA).

7.0 Leveraging: (15 Points)

Points will be awarded based upon evidence submitted in the proposal of the applicant's efforts to secure other funding for the activity proposed.

Points will be awarded based on the ratio of leveraged funds supported by documentation and included in the detailed budget per below:

101% or more = 15 points
 75% - 100% = 10 points
 50% - 74% = 5 points
 25% - 49% = 3 points
 Less than 25% = 0 points

8.0 Budget Effectiveness: (10 Points)

Budgets will be evaluated based on: 1) the extent to which the program budget supports the Scope of Services; 2) the agency's work plan, "Program Objectives and Plans", demonstrates the capacity to perform proposed activities/business plan; 3) realistic cost estimates/reasonableness; 4) completeness and accuracy; and 5) plans for continuation of services following discontinuation of Harvey Public Service Program funding.

9.0 Accessible Location: (5 Points)

Five (5) points will be given to applicant based on the physical plant location within ½ a mile of the light rail, high-frequency bus routes, or a transportation service (i.e. Project Access).

Three (3) points will be given to applicant based on the physical plant location within ½ a mile of public transportation (i.e. non-high-frequency bus route).

Zero (0) points will be given to applicant based on the physical plant location being more than ½ mile of nearest public transit.

10.0 Agency Collaboration: (5 Points)

Five (5) points will be given to applicants that collaborate with other agencies that support or enhance care of the target population. Proposal must include documents on collaborate agencies' letter head.

11.0 Proposal Submission: (5 Points)

Five (5) points will be given to complete proposals that are submitted and tabbed out accordingly, with the requested information clearly stated.

12.0 Bonus Points: (15 Points)

Five (5) points will be given to proposals where service delivery is located in a complete community. See: <https://www.houstontx.gov/completecommunities/>

Ten (10) points will be given to proposals that provide housing counseling and advice to tenants/homeowners with respect to including – but not limited to: voucher mobility, property maintenance, foreclosure resolution, financial management and other matters as appropriate to assist residents in improving their housing conditions. Course curriculum and strategies will be developed in collaboration with HCDD.

PART IV – SUBMISSION OF PROPOSAL

A. Instructions for Submission

1. Number of Copies. Submit **one (1)** printed original signed in BLUE ink, and **five (5)** electronic copies of the Proposal on **5 separate thumb drives** sealed in a separate single envelope bearing the assigned solicitation number (located on the first page of this NOFA document) to:

City Secretary's Office
City Hall Annex, Public Level
900 Bagby Street
Houston, Texas 77002

The City shall bear no responsibility for submitting responses on behalf of any Proposer. Proposer(s) may submit their Proposal to the City Secretary's Office any time prior to the stated deadline.

2. Time for Submission. Proposals shall be submitted no later than the date and time indicated for submission in this NOFA. Late submittals will not be considered and will be returned unopened.
3. Format. Arial 12 Font double space should be used. Material should be organized following the order of the submission requirements separated by labeled. Submission materials will not be returned to Proposers.
4. Complete Submission. Proposers are advised to carefully review all the requirements and submit all documents and information as indicated in this NOFA. Incomplete proposals may lead to a proposal being deemed non-responsive. Non-responsive proposals will not be considered.
5. Packaging and Labeling. The outside wrapping/envelope shall clearly indicate the NOFA title, date, time for submission, and the name of the Proposer. The required number of thumb drives containing the Proposal shall be submitted in a sealed envelope.
6. Delivery of Proposals. The Proposal and all required forms must be delivered by hand or mailed to the address shown on the cover sheet of this NOFA. If using an express delivery service, the package must be addressed and delivered specifically to the City Secretary's

Office. Packages delivered by express mail services to other locations may not be re-delivered to its final destination by the deadline hour.

7. Proposers Responsible for Timely Submission. Proposer remains responsible for ensuring that its Proposal is received at the time, date, place, and office specified. The City assumes no responsibility for any Proposal not received, regardless of whether the delay is caused by the U.S. Postal Service, a courier delivery service, or some other act or circumstance.

B. Submission Requirements

To simplify the review process and to obtain the maximum degree of comparability, the proposal must follow the outline as set forth below and, at a minimum, contain the information as requested. Applicants are encouraged to include additional relevant information.

1.0 Title Page:

- 1.1 The title page should include the title and number of the NOFA, name and address of the Applicant, type of project, amount requested, and must be notarized.

2.0 Public Service Program Checklist:

- 2.1 Public Services Program Checklist with agency name, amount of funds being requested, and proposed activity checked.
- 2.2 All parts of the checklist in its entirety and in order.

3.0 Proposal Content and Program Narrative:

- 3.1 All parts of the content and program narrative responded to in its entirety and in order.

Part V – EXCEPTIONS TO TERMS AND CONDITIONS

All exceptions included with the Proposal shall be submitted in a clearly identified separate section of the Proposal in which the Proposer clearly cites the specific paragraphs within the NOFA where the exceptions occur. Any exceptions not included in such a section shall be without force and effect in any resulting contract unless such exception is specifically referenced by the Chief Procurement Officer or designee, City Attorney, Director(s) or designee in a written statement. The Proposer's preprinted or standard terms will not be considered by the City as a part of any resulting contract.

All exceptions that are contained in the Proposal may negatively affect the City's Proposal evaluation based on the evaluation criteria as stated in the NOFA or result in possible rejection of Proposal.

Part VI – SPECIAL CONDITIONS

A. No Contact Period

Neither Proposer(s) nor any person acting on Proposer(s)'s behalf shall attempt to influence the outcome of the award by the offer, presentation or promise of gratuities, favors, or anything of value to any appointed or elected official or employee of the City, their families or staff members. All inquiries regarding the solicitation are to be directed to the designated City Representative identified on the first page of the solicitation.

With the exception of Proposer's formal response to the solicitation and written requests for clarification during the period officially designated for such purpose by the City Representative, neither Proposer(s) nor persons acting on their behalf shall communicate with any appointed or elected official or employee of the City, their families, or staff through written or oral means in an attempt to persuade or attempt to persuade or influence the outcome of the award or to obtain or deliver information intended to or which could reasonably result in an advantage to any Proposer from the time of issuance of the solicitation through the pre-award phase and up to the date the City Secretary publicly posts notice of any City Council agenda containing the applicable award. However, nothing in this paragraph shall prevent a bidder from making public statements to the City Council convened for a regularly scheduled session after the official selection has been made and placed on the City Council agenda for action, or to a City Council committee convened to discuss a recommendation regarding the solicitation.

B. Protests

Protests should be filed in accordance with the City of Houston Administrative Policy No. 5-12 <http://www.houstontx.gov/adminpolicies/5-12.pdf>

C. Cancellation

The City has sole discretion and reserves the right to cancel this NOFA, or to reject any or all Proposals received prior to contract award.

D. Anti-Boycott of Israel

Proposer certifies that Proposer is not currently engaged in and agrees until the funds are exhausted under this purchase order not to engage in, the boycott of Israel as defined by Section 808.001 of the Texas Government Code.

E. Executive Order 1-56 Zero Tolerance for Human Trafficking in City Service Contracts and Purchasing

The City has a zero tolerance for human trafficking and, per Executive Order 1-56, City funds shall not be used to promote human trafficking. City vendors are expected to comply with this Executive Order and notify the City's Chief Procurement Officer of any information regarding possible violation by the vendor or its subcontractors providing services or goods to the City. The Executive Order is available on the City's website: www.houstontx.gov/execorders/1-56.pdf

PART VII – INSTRUCTIONS TO PROPOSERS

A. Pre-Proposal Conference

A Pre-Proposal Conference will be held at the date, time, and location indicated on the first page of the NOFA document. Interested Proposer(s) are encouraged to attend. It will be assumed that potential Proposer(s) attending this meeting have reviewed the NOFA in detail and are prepared to bring up any substantive questions not already addressed by the City.

B. Additional Information and Specification Changes

Requests for additional information and questions should be addressed to the Housing and Community Development, Procurement Division, Tywana Rhone, telephone 832-394-6204, or e-mail (preferred method) tywana.rhone@houstontx.gov no later than 5:00 PM, CST June 27, 2019. The City of Houston shall provide written responses to all questions received in writing before the submittal deadline. Questions received from all Applicant(s) shall be answered and sent to all Applicant(s) who are listed as having obtained the NOFA. Applicant(s) shall be notified in writing of any changes in the specifications contained in this NOFA.

C. Letter(s) of Clarification

1. All Letters of Clarification and interpretations to this Solicitation shall be in writing. Any Letter of Clarification(s) or interpretation that is not in writing shall not legally bind the City. Only information supplied by the City in writing or in this NOFA should be used in preparing Proposal responses.
2. The City does not assume responsibility for the receipt of any Letters of Clarification sent to Proposer(s).

D. Examination of Documents and Requirements

1. Each Proposer shall carefully examine all NOFA documents and familiarize themselves with all requirements prior to submitting a Proposal to ensure that the Proposal meets the intent of this NOFA.
2. Before submitting a Proposal, each Proposer shall be responsible for making all investigations and examinations that are necessary to ascertain conditions and affecting the requirements of this NOFA. Failure to make such investigations and examinations shall not relieve the Proposer from obligation to comply, in every detail, with all provisions and requirements of the NOFA.

E. Post-Proposal Discussions with Proposer(s)

It is the City's intent to commence final negotiation with the Proposer(s) deemed most advantageous to the City. The City reserves the right to conduct post-Proposal discussions with any Proposer(s).

PART VIII – REQUIRED FORMS TO BE SUBMITTED WITH PROPOSAL

- A. Fair Campaign Ordinance and Form “A” Fair Campaign (Exhibit I; see pgs. 35-38)
- B. Contractor Ownership Disclosure Ordinance and Affidavit of Ownership or Control (Exhibit II; see pgs. 39-42)
- C. Anti-Collusion Statement (Exhibit III; see pg. 43)
- D. Conflict of Interest Questionnaire (Exhibit IV; see pgs. 44-45)

PART IX – REQUIRED FORMS TO BE SUBMITTED BY RECOMMENDED VENDOR ONLY

Required forms shall be supplied to the Contractor after the award recommendation:

- A. Insurance Requirements and Insurance Certificate
- B. Drug Policy Compliance Agreement (Exhibit “B”); Contractor’s Certification of No Safety Impact Positions in Performance of a City Contract (Exhibit “C”); Drug Policy Compliance Declaration (Exhibit “D”) (see pgs. 46-47)
- C. City Contractors’ Pay or Play Acknowledgement Form (POP-1) www.houstontx.gov/obo/payorplay/pop1.pdf and Pay or Play Certificate of Compliance (POP-2) www.houstontx.gov/obo/payorplay/pop2.pdf
- D. Hire Houston First Affidavit (Download Copy at www.houstontx.gov/obo/hirehoustonfirst.html and submit to Office of Business Opportunity by e-mail to HireHoustonFirst@houstontx.gov or fax to 832-393-0646, or submit copy with Proposal.
- E. Requested information outlined in the scope of work and other additional relevant/supporting information, or alternate Proposal.
- F. Texas Ethics Commission, Certificate of Interested Parties (Form 1295). Download a copy at www.ethics.state.tx.us/tec/1295-Info.htm

BLANK

Part 1: Public Services Program Checklist

Agency Name: _____

Amount of funds requested: _____

The following documents, in compliance with City, State and Federal regulations, must be submitted with all applications. Please use this checklist as a guide to complete your proposal. Place a check mark by the items included in the proposal. If you feel the item does not apply to your proposal, please indicate with "N/A." Additional justification must be provided within the documentation.

- _____ One original and 4 copies of Parts 1 through 14
- _____ PART 1: Public Services Program Checklist
- _____ PART 2: Title Page
- _____ PART 3: Proposal Content and Program Narrative
 - _____ Introduction
 - _____ Problem Statement/Demonstration of Need
 - _____ Description of Program and Services
 - _____ Program Objectives and Plans
 - _____ Organizational Capacity and Capability
 - _____ Demonstration of Funding Need
 - _____ Results and Evaluations
 - _____ Local Housing Needs Assessment Consistency
- _____ PART 4: Detailed Project Budget
- _____ PART 5: Authorized Signatures
- _____ PART 6: Certification of Nonprofit Eligibility
- _____ PART 7: Accounting System
- _____ PART 8: Security Policy
- _____ PART 9: Assurances and Certification
- _____ PART 10: Board of Directors Roster
- _____ PART 11: Leveraging Funds
- _____ PART 12: Certification Regarding Location of Facilities
- _____ PART 14: Required Supportive Documentation

Part 2: Title Page

Applicant (Offeror) Name and Address	Contact Person
Phone Number	Title and Number of NOFA
Contact Email Address	Website Address
Type of Project	Amount Requested
<p>Name & Title of Certifying Representative Note: <i>"Certifying Representative" means the individual who may legally submit proposals for the agency and enter into agreements with The City of Houston, i.e. the Chairman of the Board of a social service agency. You may identify a different "contact person."</i></p> <p>Name: _____ Title: _____</p>	

I hereby certify that all information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate to the best of my knowledge.

Signature of Certifying Representative	Date
Signature of Preparer	Date

Notarized by:

Part 3: Proposal Content and Program Narrative

1. INTRODUCTION

Briefly state the organization's mission. List the services and programs that the organization currently offers, the number of individuals served, and include the geographic area it serves.

2. PROBLEM STATEMENT/DEMONSTRATION OF NEED

Provide a description of the need the proposal is intended to address and describe the extent of the need and its impact on the target population and the community. Include the number of persons affected and the characteristics of the affected population.

3. DESCRIPTION OF PROGRAM AND SERVICES

Provide a general description of the proposed project, including but not limited to type of project or program for which Public Service funds will be used, the population targeted as recipients of the services to be provided, and the estimated number of clients to be served by the project in a one-year period.

4. PROGRAM OBJECTIVES AND PLANS

DELIVERY - Describe the service delivery plans, including the hours of operation, intake system, outreach and referral procedures, number of clients expected to serve, and other major program features. Include a brief description of how the service delivery plans will comply with the Fair Housing Act and relevant regulations including how to provide meaningful access to persons with limited English proficiency. Please include accessibility to location of service regarding public transportation, light rail, or transportation service. (i.e. location is ¼ mile from high frequency bus route or light rail)

POLICY - Describe the policies and procedures for termination of services to clients or graduation from program and/or subsequent referrals that reflect a continuum of care. Describe the organizations plan or ability to maintain this program when Public Service funds are decreased or eliminated.

COLLABORATION - Describe how other services within the organization or other agencies provide in conjunction with the housing assistance/service described in your proposal. Please provide a list of collaborations that directly relate to ongoing services that support or enhance care for the target population. Describe the services provided through the collaboration. Include letters pledging support of the collaborations listed signed by the Executive Director/CEO of the collaborating agency. Letters will need to be on the collaborating agency's letterhead and not older than 12-months.

5. ORGANIZATION CAPACITY AND CAPABILITY

Describe organization's qualifications for performing the proposed work. Describe the agencies past experience in administering programs to primarily low to moderate-income.

Document organizations' accomplishments and/or qualifications to administer the proposed Public Service program; including resumes, job descriptions describing the experience, education, certifications and qualifications of the individuals who will implement the proposed project. Include your agency organizational chart of current and program related personnel. Include any issues that the City should be aware of, any outstanding monitoring or audit findings, and any other relevant information.

List organizational Board Members, their places of employment, and a description of the Board's rule and duties.

Document organizations' anti-discriminatory policy. Include hard copy.

Document organizations' three-month (3) cash flow reserve. Provide documentation (i.e. Line of Credit, bank statement).

6. DEMONSTRATION OF FUNDING NEED

Describe other revenue sources for the organization. Describe why Public Service funds are critical to the implementation of the proposal, including a discussion of other funds that have been researched and applied for, and the ability of Public Services to leverage other funds.

7. RESULTS AND EVALUATION

Describe how the project will address the problem statement/demonstration of need described above. Include anticipated results and previous results if the program is ongoing. What proportion of the identified need will be addressed by the project and what measurable results will be achieved? How is success of the program defined and determined?

Describe the organization's project evaluation plan, assessment parameters, measures of success, and feedback mechanisms for correcting plan deviations. The evaluation plan should include an assessment of the outcomes for the Public Service project (as listed under #3 above), tracking, and follow up services. The evaluation plan should measure the agency's progress in achieving the performance goal. Document evidence that the proposed approach is likely to be effective and/or provide a significant opportunity to advance the field. Additionally, describe commitment to defining clear goals and tracking results, learning and adapting, and sharing results and learnings with others.

Include Logic Model for the proposed program.

8. **LOCAL HOUSING NEEDS ASSESSMENT CONSISTENCY**

Describe how the proposed service will be integrated and/or reduce the unmet needs in the City of Houston's Local Housing Needs Assessment (<https://recovery.houstontx.gov/wp-content/uploads/2019/01/City-of-Houston-Local-Housing-Needs-Assessment-11.28.2018.pdf>).

Part 4: DETAILED PROJECT BUDGET

Please use the budget titled Harvey Public Services Budget Application NOFA 2019 to complete your project budget. Note that all information, including **Other Sources of Funds** must be filled out completely. If Public Service funding is the only funding source for the organization, please note that on the budget documentation. **Failure to complete ALL components of the Budget Summary will eliminate the application from consideration.** This is a zero-based budget; Zero-based budgeting is a method of budgeting in which all expenses must be justified for each new period. The process of zero-based budgeting starts from a "zero base." Budget form is found as a separate excel attachment, located on the Housing and Community Development Department's webpage.

The Detailed Project Budget Form for the project, including all sources and expected sources of funding must be completed in its entirety. Under Payroll and Personnel Expenses, salary and wages for each category, the budget should detail position, title and corresponding salary amounts for all employee positions to be funded by Public Services. Under Fringe Benefits, please list all benefits and corresponding amounts to be funded by Public Services. Budget information contained on other forms should also be included or transferred onto this form. Please do not include your total agency budget but include the total program budget. Include funding sources only for the specific project or program for which you are applying for Public Services funds. Failure to complete ALL components of the Detailed Project Budget will eliminate the application from consideration. This is a threshold requirement. Without this information the application cannot move forward.

Part 5: AUTHORIZED SIGNATURES

The Directors duly authorize the following officers or employees of _____
to

(Name of Agency)

carry out the performance contemplated by a contract with the City of Houston and can execute a
contract on behalf of _____.
(Name of Agency)

Name	Title
_____	_____
_____	_____
_____	_____
_____	_____

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

Part 6: CERTIFICATION OF NONPROFIT ELIGIBILITY

Agencies that fit the following description are eligible to apply: A secular or religious organization described in Section 501c of the internal revenue code of 1954 which, a) is exempt from taxation under Subtitle A of the code; b) has an accounting system and a voluntary board; and c) practices nondiscrimination in the provision of assistance. In compliance with Title 26 U.S.C., subchapter F, tax exempt organizations, agency must supply a copy of its tax-exempt organization certification -- Internal Revenue Code 501c(3) with this application.

I hereby certify that this agency, _____
Name of Agency

is in compliance with the above.

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

Agency's Tax Exempt Number

Part 7: ACCOUNTING SYSTEM

As the Chief Financial Officer of _____
(Name of Agency)

I bear responsibility for providing services adequate to ensure the establishment and maintenance of the accounting system for this agency. The accounting system and internal control procedures will be adequate to safeguard the assets of this agency, check the accuracy and reliability of accounting data, promote operating efficiency and assure compliance with prescribed management policies of the agency and the City of Houston.

Type Name of Financial Officer

Signature of Financial Officer

Date

Part 8: SECURITY POLICY

Pursuant to regulations of the U.S. Department of Housing and Urban Development, grantees must maintain records necessary to document compliance with HUD guidelines found at Title 24 Code of Federal Regulations; Part 574. Because of this requirement, the Applicant must maintain all data in a safe and secure place.

The undersigned certifies that _____
(Name of Agency)

shall have in place a mechanism for keeping records, reports, and all data related to this project confidential and in a safe and secure place; that all file cabinets containing such data shall have a lock to which only the bookkeeper, executive director, and the project director shall have a key; that all files shall be kept under lock and key; and that all file cabinets containing these types of information shall not be located in the program areas.

Type Name of President of Board of Directors/Trustees

Signature of President of Board of Directors/Trustees

Date

Part 9: ASSURANCES AND CERTIFICATIONS

The Applicant hereby certifies as applicable, that:

1. Within the designated population:
 - a. It will adhere to the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulation at 24 CFR Part 100; Executive Order 11063 and implementing regulations at 24 CFR Part 100; Executive Order 11063 and implementing regulations at 24 CFR Part 107; and Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and implementing regulations issued at 24 CFR Part 1;
 - b. It will comply with the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at (24 CFR part 146), prohibiting discrimination on the basis of age; section 504 of the Rehabilitation Act of 1973 (29 U.S.C., 794) and implementing regulations at 24 CFR Part 8 prohibiting discrimination against handicapped individuals; and Executive Order 11063 and regulations under 24 CFR Part 107 prohibiting discrimination by race, color, creed, sex, or national origin;
 - c. It will adhere to the requirements, if applicable, of Section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701a) regarding employment opportunities for lower-income residents of the project;
 - d. It will adhere to the requirements, if applicable, of Executive Orders 11625, 12432, and 12138, that grantee or project sponsor must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities;
 - e. It will establish additional procedures to ensure that interested persons can obtain information concerning assistance under this program in cases where established procedures are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or handicap, who may qualify for assistance; and
 - f. It will comply with reasonable modification and accommodation requirements of the Fair Housing Act and, as appropriate, the accessibility requirements of the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act.
2. It will provide a drug-free workplace in accordance with Executive Order 1-31, the Mayor's Drug Detection and Deterrence Policy.
3. It will not use federally appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government as required by Section 319 of the Department of Interior Appropriations Act (Pub. L. 101-121, as approved October 23, 1989).
4. It will implement provisions of 24 CFR Part 24 -- governing employment, engagement of services, awarding of contracts, or funding of any Applicants or sub-applicants/ subcontractors during any period of debarment, suspension, or ineligible status.

5. CONFLICT OF INTEREST

- a) In addition to the conflict of interest requirements in 24 CFR 85.36(b)(3), no employee, agent, consultant, officer, or elected or appointed official of the grantee or project sponsor who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who could participate in a decision-making process or gain inside information about such activities, may obtain a financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.

I hereby certify the correctness and truth of all information and documentation submitted as part of this proposal, to the best of my knowledge.

Typed Name of Chairperson of Board of Directors

Signature of Chairperson of Board of Directors

Date

Part 10: BOARD OF DIRECTORS ROSTER

Instructions: Please provide a list of your current board members. Additional pages may be attached if necessary.

Do not include initials or P.O. Box Numbers.

BOARD OF DIRECTORS					
Name of Member	Company Affiliation/ Job Classification	Business Address and Telephone Number	Home Address and Telephone Number	Board Position	Term Length

Part 11: LEVERAGING FUNDS FOR THE PROGRAM

Source	Quantity	Dollar Value	Formula or Method of Calculations
Donations		\$	
Materials		\$	
Buildings		\$	
Cash		\$	
Lease or Rent		\$	
Salaries		\$	
Volunteers		\$	
Memberships		\$	
Other Grants		\$	
		\$	
		\$	
		\$	
		\$	
Other Sources		\$	
		\$	
		\$	
Leverage Total		\$	

**The City of Houston and the Department of Housing and Urban Development use as one measure of success the degree to which Federal Dollars leverage private sector and local funds.

Part 12: CERTIFICATION REGARDING LOCATION OF FACILITIES AND SHELTERS

CERTIFICATION REGARDING RESTRICTIONS ON AND NOTICE OF LOCATION OF CERTAIN FACILITIES AND SHELTERS

CERTIFICATION REGARDING RESTRICTIONS ON AND NOTICE OF LOCATION OF CERTAIN FACILITIES AND SHELTERS

Pursuant to the Local Government Code at Chapter 244, Subchapter A, Correctional or Rehabilitation Facility and Subchapter B, Shelter for Homeless Individuals, the construction or operation of a correctional or rehabilitation facility or a shelter for the homeless is subject to certain distance and location restrictions the particulars of which are set forth herein below.

DEFINITION: For homeless individuals means a supervised private facility that provides temporary living accommodations to homeless individuals.

DEFINITION: for correctional or rehabilitation facility means a probation or parole office or a residential facility that is operated by an agency or the state, a political subdivision of the state, or a private vendor operating under a contract with an agency of the state or a political subdivision of the state and houses persons convicted of misdemeanors or felonies or children found to have engaged in delinquent conduct regardless of whether the persons are housed in the residential facility (a) while serving a sentence of confinement following conviction of an offense (b) as a condition of probation, parole or mandatory supervision or (c) under a court order for out-of-home placement under Title 3, Family code, other than in a foster home which the foster home is located under a contract with the Texas Youth Commission.

DEFINITION: for residential area means (A) an area designated as a residential zoning district by a governing ordinance or code or an area in which the principal permitted land use is for private residences; (B) a subdivision for which a plat is recorded in the real property records of the county and that contains or is bounded by public streets or parts of public streets that are abutted by residential property occupying at least 75 percent of the front footage along the block face; or (C) a subdivision for which a plat is recorded in the real property records of the county and a majority of the lot of which are subject to deed restrictions limiting the lots for residential use.

APPLICABILITY: Subchapter A, Correctional or Rehabilitation Facility (a) applies to the construction or operation of a correctional or rehabilitation facility the state subject to the parameters described herein below as RESTRICTION "A".

APPLICABILITY: Subchapter B, Shelter for Homeless Individuals applies to the construction or operation of a shelter for homeless individuals that is located or proposed to be located within the boundaries of a municipality with a population of 1.6 million or more; and subject to the parameters described herein below as RESTRICTION "B".

WRITTEN REQUEST TO RECEIVE NOTICE: (a) The commissioners court of a county described under Section 244.002(a)(1) and governing body of a municipality described under Section 244.022(a)(2) are entitled to notice under Section 244.002(a) only if the commissioners court or the governing body as appropriate, submits by resolution to the agency or political subdivision of the state that proposes to construct or operate a correctional or rehabilitation facility, or that contracts for the construction or operation of a correctional or rehabilitation facility, a written request to receive notice. (b) The commissioners court of a county described under Section 244.002(a)(1) and the governing body of a municipality described under Section 244.002(a)(2) are entitled to receive notice under Section 244.002(a) from a private vendor that contracts with an agency or political subdivision of the state only if the commissioners court or governing body, as appropriate, submits by resolution to the contracting agency or political subdivision of the state a written request to receive notice.

RESTRICTION A: Unless local consent is denied under Section 244.004, an agency of the state, a political subdivision of the state, or a private vendor operating under a contract with an agency or political subdivision of the state may operate a correctional or rehabilitation facility within 1,000 feet of a residential area, a primary or secondary school, property designated as a public park or public recreation area by the state or a political subdivision of the state, or a church, synagogue or other place of worship. The governing body of a church, synagogue, or other place of worship may waive the distance requirements of Section 244.002 of worship by filing an acknowledged written statement of the waiver in the deed records of the county in which the facility is located.

A person who intends to construct or operate a correctional or rehabilitation facility within 1,000 feet of a residential area, a primary or secondary school, property designated as a public park or public recreation area by the state or a political subdivision of the state, or a church, synagogue, or other places of worship shall, if a request is made under Section 244.005 as indicated above at WRITTEN REQUEST TO RECEIVE NOTICE, notify:

- (1) the commissioners court of any county with an unincorporated area that included all or part of the land within 1,000 feet of the proposed correctional or rehabilitation facility;
- (2) the governing body of any municipality that included within its boundaries all or part of the land within 1,000 feet of the proposed correctional or rehabilitation facility; and
- (3) the entity shall provide notice required by the afore stated notice requirement not later than the 60th day before the date the person or entity begin construction or operation of the correctional or rehabilitation facility, whichever date is earlier.

MUNICIPAL CONSENT FOR CORRECTIONAL OR REHABILITATION FACILITIES: Local consent to the operation of a correctional or rehabilitation facility at a location within 1,000 feet of a residential area, a primary or secondary school, a state park or recreation area, a political subdivision of a state, a church, a synagogue or other place of worship is granted unless, not later than the 60th day after the date on which notice is received by a commissioners court or governing body of the municipality under Section 244.002 (a), the commissioners court or governing body, as appropriate, determines by resolution after a public hearing that the operation of a correctional or rehabilitation facility at the proposed location is not in the best interest of the county or municipality, as appropriate. A commissioner's court or governing body of a municipality may rescind a resolution adopted as described herein.

RESTRICTION B: Unless municipal consent is granted under section 244.025, a person may not construct or operate a shelter for homeless individuals within 1,000 feet of another shelter for homeless individuals or a primary or secondary school.

A person who intends to construct or operate any of the above-described facilities is subject to the following notification requirements that are more particularly described at Chapter 244 of the Local Government Code:

Post notice of the proposed location of the shelter at that location.

- (1) **Provide notice of the proposed location of the shelter to the governing body of the municipality. Written notice must be made to the City of Houston, Planning Department, Attn.: Director, and to the City of Houston, City Secretary, Attn.: City Secretary. The written notice must be sent by certified mail, return receipt requested. No exceptions will be made.**
- (2) **The person shall post and provide notice required by the foretasted notice requirement before the 61st day before the date the person begins construction or operation of the shelter for homeless individuals, whichever date is earlier.**

MUNICIPAL CONSENT FOR HOMELESS SHELTERS: Municipal consent to the construction or operation of a shelter for homeless individuals subject to the notice requirements above is considered granted unless before the 61st day after the date the notice is received by the governing body of the municipality under Section 244.024 (a) (2), the governing body determines by resolution after a public hearing that the construction or operation of a shelter at the proposed location is not in the best interest of the municipality. The governing body of the municipality may rescind a resolution adopted as described herein.

DISTANCE MEASUREMENT: For the purpose of Subchapter A, distance is measured along the shortest straight line between the nearest property line of the correctional or rehabilitation facility and the nearest property line of the residential area, school, park, recreation area, or place of worship as appropriate. For the purposes of Subchapter B, distance is measured along the shortest straight line between the nearest property line for the homeless shelter and the nearest property line of another homeless shelter, primary or secondary school.

EXEMPTIONS: correctional and rehabilitation that are exempted from these requirements are described at Section 244.006. If Proposer is exempt, please indicate citation and exemption below.

PROPOSER CERTIFIES THAT IT HAS READ AND UNDERSTANDS ALL APPLICABLE STATUTORY REQUIREMENTS PURSUANT TO CHAPTER 244 OF THE LOCAL GOVERNMENT CODE AS THEY RELATE TO THE CONSTRUCTION OR OPERATION OF CERTAIN FACILITIES AND HEREINABOVE. PLEASE CHECK THE APPLICABLE BLANKS.

- The proposed facility is located within 1,000 feet of a
- ☐

homeless shelter
- ☐

primary school
- ☐

secondary school
- ☐

correctional facility
- ☐

rehabilitation facility
- ☐

state park
- ☐

state recreation area
- ☐

city park
- ☐

city recreation area
- ☐

church
- ☐

synagogue
- ☐

other place of worship
- ☐

none of the above

Are the aforementioned statutory notice requirements applicable to your project? Yes or No

Please indicate the type of facility.

_____ halfway house
_____ community residences
_____ SRO
_____ transitional living facility
_____ multi-family residence
_____ single-family residence
_____ other _____ (please specify)

IF THE NOTICE REQUIREMENTS ARE APPLICABLE TO YOUR PROJECT, PLEASE INDICATE THE STEPS THAT HAVE BEEN TAKEN TO SATISFY SUCH NOTICE REQUIREMENTS AND ATTACH A COPY OF ANY AND ALL SUPPORTING DOCUMENTATION INCLUDING THE CERTIFIED MAIL RETURN CARD, LETTERS, RESOLUTION, AND A 4X6 COLOR PHOTO OF THE NOTICE POSTED ON THE PROPERTY.

Proposer certifies that the information submitted herein is true and correct. Proposer understands and agrees that any misrepresentation or omission of the relevant information may result in disqualification of the proposal from further consideration by the City of Houston, acting by and through its Housing and Community Development Department. For additional information concerning the information contained herein, please contact, Brenda Scott at (832) 394-6236.

Agency or Organization: _____

By: _____ Title: _____

Name: _____ Date: _____

Part 13: REQUIRED SUPPORTIVE DOCUMENTATION

REQUIRED SUPPORTIVE DOCUMENTATION

HCDD WILL NOT CONSIDER PROPOSALS LACKING A REQUIRED SUPPORTIVE DOCUMENT.

1. **ARTICLES OF INCORPORATION OR CHARTER** - Submit a copy of your agency's most current articles of incorporation on file with the Secretary of State's Office.
2. **BY-LAWS OR RULES** - Submit a copy of your agency's most current by-laws or rules.
3. **FINANCIAL AUDIT** - If the agency contracted with the City under an agreement which terminated within the past two years, submit a copy of the financial audit conducted on that contract if such an audit was performed and has been completed. Otherwise, submit the agency's most recently completed general financial audit, no more than two (2) years old.
4. **OCCUPANCY PERMITS** - Submit copies of all appropriate occupancy permits required by the State and the City to operate and provide the services proposed. This shall include certified copies and dates of inspection by the City's Fire and Health Departments, where applicable
5. **LEASE** - For proposers requesting funds for property leases, please submit a copy of the current lease.
6. **LICENSES** - Attach, as applicable, copies of state and other licenses issued to the agency for providing your services, as well as professional licenses issued to your staff, including nursing, LCDC, and CADAC licenses.
7. **FAIR CAMPAIGN ORDINANCE FORM "A"** (Exhibit A)
8. **AFFIDAVIT OF OWNERSHIP OR CONTROL** (Exhibit B)
9. **CONFLICT OF INTEREST QUESTIONNAIRE** (Exhibit C)

EXHIBIT I FAIR CAMPAIGN ORDINANCE

The City of Houston Fair Campaign Ordinance makes it unlawful for a Contractor to offer any contribution to a candidate for City elective office (including elected officers and officers-elect). All respondents to this invitation to bid must comply with Houston Code of Ordinances Chapter 18 as amended relating to the contribution and solicitation of funds for election campaigns. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Candidates for city office may neither solicit nor receive contributions except during a period commencing 270 calendar days prior to an election date for which a person is a candidate for such office and ending 90 calendar days after the election date, including run-off elections if such candidate is on the ballot.

Further, it shall be unlawful either for any person who submits a Bid or Proposal to contribute or offer any contribution to a candidate or for any candidate to solicit or accept any contribution from such person for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council.

For the purposes of this Ordinance, a **Contract** is defined as each Contract having a value in excess of \$30,000 that is let by the City for professional services, personal services, or other goods or services of any other nature whether the Contract is awarded on a negotiated basis, request for Proposal basis, competitive Proposal basis or formal sealed competitive Bids. The term **Contractor** includes proprietors of proprietorships, partners having an equity interest of 10% or more of partnerships, (including limited liability partnerships and companies), all officers and directors of corporations (including limited liability corporations), and all holders of 10% or more of the outstanding shares of corporations.

**A STATEMENT DISCLOSING THE NAMES AND BUSINESS ADDRESSES EACH OF THOSE PERSONS
WILL BE REQUIRED TO BE SUBMITTED WITH EACH BID OR PROPOSAL FOR A CITY CONTRACT.**

Completion of the attached form entitled "**Contractor Submission List**" will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

EXHIBIT I
FORM "A": FAIR CAMPAIGN

CONTRACTOR SUBMISSION LIST
CITY OF HOUSTON FAIR CAMPAIGN ORDINANCE

By submitting a bid or proposal to the City of Houston for a Contract in excess of \$50,000 or for which a request is presented to City Council for approval, all respondents agree to comply with Chapter 18 of the Code of Ordinances.

Pursuant to Section 18-36 of the Code of Ordinances, it is unlawful either for any contractor to contribute or offer any contribution to a candidate, or for any candidate to solicit or accept any contribution from a contractor for a period commencing at the time of posting of the City Council Meeting Agenda including an item for the award of the Contract and ending upon the 30th day after the award of the Contract by City Council, or a determination by City Council of the Mayor that the contract will not be awarded to a contractor.

The term "contractor" means any person who has received the award of a contract, has submitted a bid or proposal in any form for the award of a contract, or has been proposed to be awarded the contract in an item placed upon the City Council agenda, including any other person who seeks the award of the contract and is contesting, appealing, or protesting the award of the contract as proposed.

This list is submitted under the provisions of Section 18-36(b) of the City of Houston Code of Ordinances in connection with the attached Bid/Proposal of:

Firm or Company Name: _____

Firm or Company Address: _____

The firm/company is organized as indicated below. Check one as applicable and attach additional pages if needed to supply the required names and addresses.

☐ **SOLE PROPRIETOR**

Name _____
Proprietor
Address

☐ **A PARTNERSHIP**

LIST EACH PARTNER HAVING EQUITY INTEREST OF 10% OR MORE OF PARTNERSHIP
(IF NONE STATE "NONE")

Name _____
Partner
Address

Name _____
Partner
Address

☐ **A LIMITED LIABILITY COMPANY**

LIST EACH MEMBER OR MANAGER (IF NO MEMBERS) HAVING EQUITY INTEREST OF 10% OR MORE IN THE LIMITED LIABILITY COMPANY (IF NONE, STATE "NONE")

Name _____
Member/Manager Address

Name _____
Member/Manager Address

Name _____
Member/Manager Address

[] A CORPORATION

LIST ALL DIRECTORS OF THE CORPORATION (IF NONE STATE "NONE")

Name _____
Director Address

Name _____
Director Address

Name _____
Director Address

LIST ALL OFFICERS OF THE CORPORATION (IF NONE STATE "NONE")

Name _____
Officer Address

Name _____
Officer Address

Name _____
Officer Address

LIST ALL INDIVIDUALS OWNING 10% OR MORE OF OUTSTANDING SHARES OF STOCK OF THE CORPORATION (IF NONE STATE "NONE")

Name _____
Owner Address

Name _____
Owner Address

Name _____
Owner Address

I certify that I am duly authorized to submit this list on behalf of the firm, that I am associated with the firm in the capacity noted below, and that I have knowledge of the accuracy of the information provided herein.

Signature

Printed Name

Title

Note: This list constitutes a government record as defined by § 37.01 of the Texas Penal Code.

12/15/2016

EXHIBIT II CONTRACTOR OWNERSHIP DISCLOSURE ORDINANCE

City Council requires knowledge of the identities of the owners of entities seeking to Contract with the City in order to review their indebtedness to the City prior to entering Contracts. Therefore, all respondents to this Invitation to Bid must comply with Houston Code of Ordinances Chapter 15, as amended (Sections 15-122 through 15-126) relating to the disclosure of owners of entities bidding on, proposing for or receiving City contracts. Provisions of this ordinance are provided in part in the paragraphs that follow. Complete copies may be obtained from the office of the City Secretary.

Contracting entity means a sole proprietorship, corporation, non-profit corporation, partnership, joint venture, limited liability company, or other entity that seeks to enter into a contract requiring approval by the Council but excluding governmental entities.

A contracting entity must submit at the time of its Bid or Proposal, an affidavit listing the full names and the business and residence addresses of all persons owning five percent or more of a contracting entity or, where a contracting entity is a non-profit corporation, the full names and the business and residence addresses of all officers of the non-profit corporation.

Completion of the "**Affidavit of Ownership or Control**," included herein, and submitted with the Official Bid or Proposal Form will satisfy this requirement. Failure to provide this information may be just cause for rejection of your Bid or Proposal.

EXHIBIT II
AFFIDAVIT OF OWNERSHIP OR CONTROL

ORIG. DEPT.: [DEPARTMENT] **FILE/I.D. NO.:** [WBS No.]

INSTRUCTION: ENTITIES USING AN ASSUMED NAME SHOULD DISCLOSE THAT FACT TO AVOID REJECTION OF THIS AFFIDAVIT. THE FOLLOWING FORMAT IS RECOMMENDED: *CORPORATE/LEGAL NAME DBA ASSUMED NAME*.

STATE OF _____ §
 _____ §
COUNTY OF _____ §

AFFIDAVIT OF OWNERSHIP OR CONTROL

BEFORE ME, the undersigned authority, on this day personally appeared _____
 _____ [FULL NAME] (the "Affiant"), _____
 _____ [STATE TITLE/CAPACITY WITH CONTRACTING ENTITY] of _____
 _____ [CONTRACTING ENTITY'S CORPORATE/LEGAL NAME] ("Contracting Entity"), who being by me duly
 sworn on oath stated as follows:

1. Affiant is authorized to give this affidavit and has personal knowledge of the facts and matters herein stated.

2. Contracting Entity seeks to do business with the City in connection with _____

_____ [DESCRIBE PROJECT OR MATTER] which is expected to be in an amount that exceeds \$50,000.

3. The following information is submitted in connection with the proposal, submission or bid of Contracting Entity in connection with the above described project or matter.

4. Contracting Entity is organized as a business entity as noted below (check box as applicable).

FOR PROFIT ENTITY:

- ☐ SOLE PROPRIETORSHIP
☐ CORPORATION
☐ PARTNERSHIP
☐ LIMITED PARTNERSHIP
☐ JOINT VENTURE
☐ LIMITED LIABILITY COMPANY
☐ OTHER (Specify type in space below)

NON-PROFIT ENTITY:

- ☐ NON-PROFIT CORPORATION
☐ UNINCORPORATED ASSOCIATION

5. The information shown below is true and correct for the Contracting Entity; and

6. All owners of 10% or more of the Contracting Entity and, where the Contracting Entity is a non-profit entity, the required information has been shown for each officer, i.e., president, vice-president, secretary, treasurer, etc. **[NOTE: IN ALL CASES, USE FULL NAMES, LOCAL BUSINESS AND RESIDENCE ADDRESSES AND TELEPHONE NUMBERS. DO NOT USE POST OFFICE**

BOXES FOR ANY ADDRESS. INCLUSION OF E-MAIL ADDRESSES IS OPTIONAL, BUT RECOMMENDED. ATTACH ADDITIONAL SHEETS AS NEEDED.]

Contracting Entity

Name: _____

Business Address **[No./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

Residence Address **[No./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

10% Owner(s) or More (IF NONE, STATE "NONE.")

Name: _____

Business Address **[No./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

Residence Address **[No./STREET]** _____

[CITY/STATE/ZIP CODE] _____

Telephone Number (____) _____

Email Address **[OPTIONAL]** _____

7. Optional Information

Contracting Entity and/or _____ [**NAME OF OWNER OR NON-PROFIT OFFICER**] is actively protesting, challenging or appealing the accuracy and/or amount of taxes levied against _____ [**CONTRACTING ENTITY, OWNER OR NON-PROFIT OFFICER**] as follows:

Name of Debtor: _____

Tax Account Nos. _____

Case or File Nos. _____

Attorney/Agent Name _____

Attorney/Agent Phone No. (____) _____

Tax Years _____

Status of Appeal [**DESCRIBE**] _____

Affiant certifies that he or she is duly authorized to submit the above information on behalf of the Contracting Entity, that Affiant is associated with the Contracting Entity in the capacity noted above and has personal knowledge of the accuracy of the information provided herein, and that the information provided herein is true and correct to the best of Affiant's knowledge and belief.

Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 20____.

(Seal)

Notary Public

NOTE:

This affidavit constitutes a **government record** as defined by Section 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in Section 37.10 of the Texas Penal Code. Attach additional pages if needed to supply the required names and addresses.

**EXHIBIT III
ANTI-COLLUSION STATEMENT**

The undersigned, as Proposer, certifies that the only person or parties interested in this Proposal as principals are those named herein; that the Proposer has not, either directly or indirectly entered into any Agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the award of this Contract.

Date

Proposer Signature

EXHIBIT IV
CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE:

Chapter 176.006 of the Local Government Code ("the code") requires a Vendor/Contractor to file a Conflict of Interest Questionnaire (CIQ) with the City.

NOTE: Vendors/Contractors or Agents should **not** complete the CIQ if a conflict, as described below, **does not exist. Only Vendors/Contractors or Agents that actually have a conflict, as described below, must file a CIQ.**

Who must file a CIQ?

A Vendor/Contractor or Agent of a Vendor/Contractor does not have to file a CIQ unless they intend to enter or is considering entering into a contract with the City or:

1. has an employment or other business relationship with the Local Government Officer/Family Member; or
2. has given the Local Government Officer/Family Member one or more gifts with the aggregate value exceeding \$250.00.

When must the Vendor/Contractor or Agent file a CIQ?

The completed CIQ must be filed with the City Chief Procurement Officer not later than the 7th business day after the date the Vendor/Contractor or Agent:

1. begins discussions or negotiations to enter into a contract with the City;
2. submits an application to the City in response to a request for proposals or bids, correspondence, or any other writing related to a potential contract with the City;
3. becomes aware of an employment or other business relations with the Local Government Officer/Family Member;
4. becomes aware that he/she has given one or more gifts to the Local Government Officer/Family Member that exceeds \$250.00; or
5. an event that would make the CIQ incomplete or inaccurate.

What is a business relationship?

Under Chapter 176, business relationship means a connection between two or more parties based on the commercial activity of one of the parties. The term does not include:

1. a transaction that is subject to a rate or fee regulation by a governmental entity;
2. a transaction conducted at a price and subject to terms available to the public; or
3. a purchase or lease of goods or services from a person who is chartered by a state or federal agency and is subject to regular examination and reporting to that agency.

The Original Conflict of Interest Questionnaire shall be filed with the Finance Department, Strategic Procurement Division, ATTN: Jerry Adams, Chief Procurement Officer; 1100 Louisiana 34th Floor; Houston, Texas 77002). Vendors and Contractors required to file shall include a copy of the form as part of the BID/Proposal package.

Any questions about filling out this form should be directed to your attorney.

EXHIBIT IV CONFLICT OF INTEREST QUESTIONNAIRE

CONFLICT OF INTEREST QUESTIONNAIRE For vendor or other person doing business with local governmental entity		FORM CIQ
<p>This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.</p> <p>This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).</p> <p>By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.</p> <p>A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>	OFFICE USE ONLY <hr/> Date Received	
<div style="border: 1px solid black; padding: 2px;"> 1 Name of person who has a business relationship with local governmental entity. </div>		
<div style="border: 1px solid black; padding: 2px;"> <div style="display: flex; align-items: flex-start;"> <div style="width: 30px; text-align: center; border: 1px solid black; margin-right: 10px;">2</div> <div> <input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.) </div> </div> </div>		
<div style="border: 1px solid black; padding: 2px;"> <div style="display: flex; align-items: flex-start;"> <div style="width: 30px; text-align: center; border: 1px solid black; margin-right: 10px;">3</div> <div> Name of local government officer with whom filer has employment or business relationship. <div style="text-align: center; margin-bottom: 10px;"> <hr style="width: 100%;"/> Name of Officer </div> <p>This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.</p> <p>A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?</p> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <p>D. Describe each employment or business relationship with the local government officer named in this section.</p> </div> </div> </div>		
<div style="border: 1px solid black; padding: 2px;"> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature of person doing business with the governmental entity </div> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date </div> </div> </div>		

Adopted 06/29/2007

EXHIBIT "B"

DRUG POLICY COMPLIANCE AGREEMENT

I, _____ as an owner or

(Name) (Print/Type) (Title)

(Contractor)
(Name of Company)

have authority to bind Contractor with respect to its bid, offer or performance of any and all contracts it may enter into with the City of Houston; and that by making this Agreement, I affirm that the Contractor is aware of and by the time the contract is awarded will be bound by and agree to designate appropriate safety impact positions for company employee positions, and to comply with the following requirements before the City issues a notice to proceed:

1. Develop and implement a written Drug Free Workplace Policy and related drug testing procedures for the Contractor that meet the criteria and requirements established by the Mayor's Amended Policy on Drug Detection and Deterrence (Mayor's Drug Policy) and the Mayor's Drug Detection and Deterrence Procedures for Contractors (Executive Order No. 1-31).
2. Obtain a facility to collect urine samples consistent with Health and Human Services (HHS) guidelines and a HHS certified drug testing laboratory to perform the drug tests.
3. Monitor and keep records of drug tests given and the results; and upon request from the City of Houston, provide confirmation of such testing and results.
4. Submit semi-annual Drug Policy Compliance Declarations.

I affirm on behalf of the Contractor that full compliance with the Mayor's Drug Policy and Executive Order No. 1-31 is a material condition of the contract with the City of Houston.

I further acknowledge that falsification, failure to comply with or failure to timely submit declarations and/or documentation in compliance with the Mayor's Drug Policy and/or Executive Order No. 1-31 will be considered a breach of the contract with the City and may result in non-award or termination of the contract by the City of Houston.

Date

Contractor Name

Signature

Title

EXHIBIT "C"

**CONTRACTOR'S CERTIFICATION
OF NO SAFETY IMPACT POSITIONS
IN PERFORMANCE OF A CITY CONTRACT**

I, _____, _____
(Name) (Title)

as an owner or officer of _____ (Contractor)
(Name of Company)

have authority to bind the Contractor with respect to its bid, and hereby certify that Contractor has no employee safety impact positions, as defined in '5.18 of Executive Order No. 1-31, that will be involved

in performing _____.
(Project)

Contractor agrees and covenants that it shall immediately notify the City of Houston Director of Personnel if any safety impact positions are established to provide services in performing this City Contract.

(Date) (Typed or Printed Name)

(Signature)

(Title)

EXHIBIT "D"
DRUG POLICY COMPLIANCE DECLARATION

I, _____ as an owner or officer
of _____
(Name) (Print/Type) (Title)

(Contractor)

(Name of Company)

have personal knowledge and full authority to make the following declarations:

This reporting period covers the preceding 6 months from _____ to _____, 20____.

_____ A written Drug Free Workplace Policy has been implemented and employees notified.
Initials The policy meets the criteria established by the Mayor's Amended Policy on Drug
Detection and Deterrence (Mayor's Policy).

_____ Written drug testing procedures have been implemented in conformity with the
Mayor's Initials Drug Detection and Deterrence Procedures for Contractors, Executive Order No. 1-
31. Employees have been notified of such procedures.

_____ Collection/testing has been conducted in compliance with federal Health and Human
Initials Services (HHS) guidelines.

_____ Appropriate safety impact positions have been designated for employee positions
Initials performing on the City of Houston contract. The number of employees in safety
impact positions during this reporting period is _____.

_____ From _____ to _____ the following test has
occurred Initials (Start date) (End date)

	<u>Random</u>	<u>Reasonable Suspicion</u>	<u>Post Accident</u>	<u>Total</u>
Number Employees Tested	_____	_____	_____	_____
Number Employees Positive	_____	_____	_____	_____
Percent Employees Positive	_____	_____	_____	_____

_____ Any employee who tested positive was immediately removed from the City worksite
Initials consistent with the Mayor's Policy and Executive Order No. 1-31.

_____ I affirm that falsification or failure to submit this declaration timely in accordance
with Initials established guidelines will be considered a breach of contract.

I declare under penalty of perjury that the affirmations made herein and all information contained in
this declaration are within my personal knowledge and are true and correct.

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L.D. FILE NO.

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2/15/2016

(Date) _____
(Signature) _____
(Title) _____

(Typed or Printed Name)

SAMPLE